



SYNOPSIS

Senate Bills and Joint Resolutions 2017 Maryland General Assembly Session

**January 26, 2017
Schedule 12**

PLEASE NOTE: February 3 – Bill introduction deadline.

All bills should be given to the Secretary of the Senate's office by 5:00 P.M. on Monday, February 6.

As required by Senate Rule 32(b), bills introduced after this date will be referred to the Senate Rules Committee.

SENATE BILLS INTRODUCED January 26, 2017

SB 365 Senator Young, et al

FOREST CONSERVATION ACT – EXEMPTION, REFORESTATION RATE, AND FOREST CONSERVATION FUND – ALTERATIONS

Altering the exemption from the application of the Forest Conservation Act for the cutting or clearing of public utility rights-of-way or land for specified electric generating stations; increasing the acreage that must be planted in order to meet the reforestation requirement under the Act; and authorizing a specified increase in the rate that is paid to the Forest Conservation Fund in lieu of meeting specified reforestation or afforestation requirements.

EFFECTIVE OCTOBER 1, 2017

NR, §§ 5-1602(b)(5), 5-1606(b) and (d), and 5-1610(c) - amended

Assigned to: Education, Health, and Environmental Affairs

Department of Legislative Services

90 State Circle, Annapolis, Maryland 21401-1991

Baltimore Area: 410-946-5400 — Washington Area: 301-970-5400

Other Maryland Areas: 1-800-492-7122 — Maryland Relay Service: 1-800-735-2258

SB 366 Senator Madaleno**PUBLIC HEALTH – RABIES VACCINATION INFORMATION –
SUBMISSION TO LOCAL AGENCIES AND USE FOR LICENSING**

Requiring, under specified circumstances, a licensed veterinarian who vaccinates a dog, cat, or ferret against rabies to send to a specified local agency specified rabies vaccination information; requiring the licensed veterinarian to send the information within 45 days after a vaccination certificate is completed; establishing a specified penalty; requiring a local agency to forward the information to another local agency under specified circumstances; etc.

EFFECTIVE OCTOBER 1, 2017

HG, § 18-319 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 367 Senator Zucker, et al**INCOME TAX – SUBTRACTION MODIFICATION – MORTGAGE
FORGIVENESS DEBT RELIEF**

Allowing a subtraction modification under the Maryland income tax for income from the discharge of indebtedness related to acquiring, constructing, substantially improving, or refinancing a principal residence; providing that the subtraction does not apply to more than \$100,000 for an individual and \$200,000 for a married couple filing jointly or specified individuals; applying the Act to taxable years beginning after December 31, 2016, but before January 1, 2019; etc.

EFFECTIVE JULY 1, 2017

TG, § 10-205(k) - amended and § 10-207(ee) - added

Assigned to: Budget and Taxation

SB 368 Senator Lee**CHILD CUSTODY – LEGAL DECISION MAKING AND PARENTING
TIME**

Repealing references to the terms “child custody” and “visitation” and substituting the terms “legal decision making” and “parenting time” in specified instances; requiring the court, in determining the appropriate allocation of legal decision making or parenting time between the parties, to consider specified factors; authorizing the court to award joint legal decision making to both parties under specified circumstances; etc.

EFFECTIVE OCTOBER 1, 2017

FL, Various Sections - amended, added, and repealed

Assigned to: Judicial Proceedings

SB 369 **Senator Middleton****MARYLAND PATIENT REFERRAL LAW – COMPENSATION ARRANGEMENTS UNDER FEDERALLY APPROVED PROGRAMS AND MODELS**

Exempting, under specified circumstances, a health care practitioner who has a specified compensation arrangement with a health care entity from a provision of law that prohibits a health care practitioner from referring a patient or directing specified persons to refer a patient to a specified health care entity; providing that the exemption is null and void if the Maryland Insurance Commissioner issues a specified order; etc.

EFFECTIVE OCTOBER 1, 2017

HO, §§ 1-301(c), (k), and (l) and 1-302 - amended and HO, § 1-301(k) and IN, §§ 2-112(a)(12) and 15-143 - added

Assigned to: Finance

SB 370 **Senator Rosapepe, et al****DIGITAL EQUITY FOR ALL MARYLAND STUDENTS ACT OF 2017**

Establishing the School Broadband Upgrade Grant Program; providing the purpose of the Program is to provide State and local funding for special construction to leverage federal funds for Category 1 and Category 2 services that are available through a specified federal program to install or upgrade Internet access in every public school in the State; requiring the State Department of Education to administer the Program; etc.

This bill requires a mandated appropriation in the annual budget bill.

EFFECTIVE JULY 1, 2017

ED, §§ 7-9B-01 through 7-9B-04 - added

Assigned to: Education, Health, and Environmental Affairs and Budget and Taxation

SB 371 Senator Manno, et al**STATE BUDGET – APPROPRIATIONS – INCOME TAX REVENUE
ESTIMATE CAP AND REVENUE STABILIZATION ACCOUNT**

Requiring the Bureau of Revenue Estimates, beginning with the revenue estimate for fiscal year 2020, to calculate a specified share of General Fund revenues represented by specified nonwithholding income tax revenues; requiring the Bureau to make a specified adjustment to a specified revenue estimate relating to nonwithholding income tax revenues under specified circumstances; altering the circumstances under which the Governor is required to include appropriations in the budget bill to the Revenue Stabilization Account; etc.

This bill requires a mandated appropriation in the annual budget bill.

EFFECTIVE JULY 1, 2017

SF, §§ 6-104 through 6-106 and 7-311 and TG, § 2-609 - amended and §§ 7-329 and 7-330 - added

Assigned to: Budget and Taxation

SB 372 Carroll County Senators**CARROLL COUNTY – DETENTION CENTER – POLYGRAPH TESTING**

Establishing that a specified prohibition on requiring an employee or a prospective employee to take a polygraph examination or similar test as a condition of prospective or continued employment does not apply to an individual employed as a correctional officer or in any other capacity that involves direct personal contact with an inmate in the Carroll County Detention Center.

EFFECTIVE OCTOBER 1, 2017

LE, § 3-702 - amended

Assigned to: Judicial Proceedings

SB 373 Senator Astle**ANNE ARUNDEL COUNTY – ALCOHOLIC BEVERAGES –
DISPOSITION OF FEES**

Requiring the Comptroller to approve and remit to the Anne Arundel County Board of License Commissioners, instead of to Anne Arundel County, specified amounts necessary to pay specified salaries, benefits, and expenses of the Board.

EFFECTIVE JULY 1, 2017

AB, § 11-207 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 374 Senator Astle**ANNE ARUNDEL COUNTY – ALCOHOLIC BEVERAGES – BOARD OF
LICENSE COMMISSIONERS – ATTORNEYS**

Increasing from \$20,000 to \$60,000 the salary of an attorney employed by the Board of License Commissioners for Anne Arundel County; authorizing the Board to hire an attorney on a contractual basis to perform work that the attorney employed by the Board is unable to perform because of a conflict of interest; and prohibiting the Board from spending more than \$30,000 each year to hire a contractual attorney.

EFFECTIVE JULY 1, 2017

AB, § 11-204(b) - amended

Assigned to: Education, Health, and Environmental Affairs

SB 375 Senator Jennings**INSURANCE – BAIL BONDSMEN – CONTINUING EDUCATION
REQUIREMENTS**

Requiring insurance producers who sell, solicit, or negotiate bail bonds to receive continuing education that directly relates to bail bond insurance.

EFFECTIVE OCTOBER 1, 2017

IN, § 10-116 - amended

Assigned to: Finance

SB 376 Senator Norman**MORTGAGES AND DEEDS OF TRUST – CERTIFICATION
REQUIREMENT FOR RECORDATION – REPEAL**

Repealing the requirement that a mortgage or deed of trust bear a specified attorney certification or a certification that the instrument was prepared by a specified party in order to be recorded; and making a specified stylistic change.

EFFECTIVE OCTOBER 1, 2017

RP, § 3-104(f)(1) - amended

Assigned to: Judicial Proceedings

SB 377 **Senator Norman, et al****REAL PROPERTY – WRONGFUL DETAINER ACTIONS – COUNTERCLAIMS AND CROSS-CLAIMS**

Repealing a specified prohibition on filing a counterclaim or cross-claim in a wrongful detainer action; and authorizing a counterclaim or cross-claim to be filed in a wrongful detainer action.

EFFECTIVE OCTOBER 1, 2017

RP, § 14-132 - amended

Assigned to: Judicial Proceedings

SB 378 **Senator Norman, et al****CLERK OF COURT – PROHIBITION AGAINST RULING**

Prohibiting a clerk of a court from ruling on any motion or application.

EFFECTIVE OCTOBER 1, 2017

CJ, § 2-201 - amended

Assigned to: Judicial Proceedings

SB 379 **Senators Feldman and Hershey****HOSPITALS – CHANGES IN STATUS – HOSPITAL EMPLOYEE RETRAINING AND ECONOMIC IMPACT STATEMENTS**

Requiring a hospital that voluntarily converts to a freestanding medical facility or is acquired by another hospital or health system to pay a fee directly to the Department of Labor, Licensing, and Regulation if workers are displaced; prohibiting the fee from exceeding a 0.01 percent of the total revenue approved by the Health Services Cost Review Commission for a specified fiscal year; limiting the number of times the fee may be assessed; etc.

EFFECTIVE OCTOBER 1, 2017

HG, § 19-326.1 and LE, § 11-201 - amended

Assigned to: Finance

SB 380 Senators Feldman and Hershey**INSURANCE – SURPLUS LINES – SHORT-TERM MEDICAL
INSURANCE – PROCUREMENT FROM NONADMITTED INSURER**

Altering the scope of provisions of law governing surplus lines insurance as the provisions relate to short-term medical insurance; altering the conditions under which short-term medical insurance may be procured from a nonadmitted insurer; and applying the Act to all policies and contracts of surplus lines insurance for short-term medical insurance issued, delivered, or renewed in the State on or after October 1, 2017.

EFFECTIVE OCTOBER 1, 2017

IN, §§ 3-302(c) and 3-306.2(c) - amended

Assigned to: Finance

SB 381 Senator King, et al**CREATION OF A STATE DEBT – MONTGOMERY COUNTY –
STEWARTOWN LOCAL PARK**

Authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Maryland–National Capital Park and Planning Commission for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of Stewartown Local Park, located in Montgomery County; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

EFFECTIVE JUNE 1, 2017

Assigned to: Budget and Taxation

SB 382 Senator McFadden**STATE EMPLOYEE AND RETIREE HEALTH AND WELFARE
BENEFITS PROGRAM – PARTICIPATION BY SATELLITE
ORGANIZATIONS**

Altering the definition of “qualifying not-for-profit organization”, for purposes of provisions of law that authorize specified qualifying not-for-profit organizations to participate in the State Employee and Retiree Health and Welfare Benefits Program, to include a corporation, a limited liability company, or any other entity wholly owned by the Legal Aid Bureau, Inc.; etc.

EFFECTIVE OCTOBER 1, 2017

SP, § 2-512 - amended

Assigned to: Finance

SB 383 Senator Conway, et al**BALTIMORE CITY – COMMERCIAL BINGO – PERMITS**

Establishing a commercial instant bingo permit in Baltimore City; authorizing the Bureau of Revenue Collections to issue a permit to an entity that meets specified requirements; specifying that for commercial purposes the permit holder may resume operating games of instant bingo in a specified manner under specified circumstances; and requiring the Bureau to adopt regulations to carry out the Act.

EFFECTIVE OCTOBER 1, 2017

CR, § 13-507(a) - amended and § 13-511 - added

Assigned to: Budget and Taxation

SB 384 Senator Conway**BALTIMORE CITY – ALCOHOLIC BEVERAGES – OLD GOUCHER REVITALIZATION DISTRICT**

Exempting an applicant for a Class B–D–7 license in a specified Old Goucher Revitalization District in the 43rd alcoholic beverages district in Baltimore City from specified zoning requirements; creating an exception under which the Board of License Commissioners for Baltimore City may issue specified new Class B–D–7 licenses under specified circumstances; providing a Class B–D–7 license may only be transferred within the Old Goucher Revitalization District and not out of the Old Goucher Revitalization District; etc.

EFFECTIVE JULY 1, 2017

AB, §§ 12-1407, 12-1603, and 12-1605(a)(2) - amended

Assigned to: Education, Health, and Environmental Affairs

SB 385 Senator Nathan–Pulliam, et al**MARYLAND NURSE PRACTICE ACT – REVISIONS**

Altering the membership of the State Board of Nursing; requiring that specified petitions for membership on the Board have at least a specified number of signatures of support from nurses with a specified license; altering the requirements for the election of Board officers; requiring the Board to hold a special election within a specified time period to fill a specified vacancy of a Board officer under specified circumstances; altering the requirements for a quorum of the Board; authorizing the Board to employ a deputy director; etc.

EFFECTIVE OCTOBER 1, 2017

HO, Various Sections - amended, §§ 8-302.1 and 8-6A-13(g) - added, and § 8-6B-26 - repealed

Assigned to: Education, Health, and Environmental Affairs

SB 386 Senator Nathan–Pulliam, et al**POLLINATOR HABITAT PLANS – PLAN CONTENTS – REQUIREMENT AND PROHIBITION**

Requiring that a specified pollinator habitat plan established by the Department of Natural Resources, the Maryland Environmental Service, and the State Highway Administration be as protective of pollinators as the Department of Agriculture's managed pollinator protection plan; and prohibiting the use of specified pesticides, seeds, or plants in the pollinator habitat plan.

EFFECTIVE JULY 1, 2017

AG, § 2-1801 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 387 Senator Lee**CRIMES – SOLICITATION TO COMMIT MURDER OR ARSON – STATUTE OF LIMITATIONS**

Providing that the statute of limitations for the crime of solicitation to commit murder in the first degree, murder in the second degree, arson in the first degree, or arson in the second degree is the statute of limitations for the prosecution of the substantive crime that is the subject of the solicitation.

EFFECTIVE OCTOBER 1, 2017

CJ, § 5-106(ff) - added

Assigned to: Judicial Proceedings

SB 388 Caroline County Senators**CREATION OF A STATE DEBT – CAROLINE COUNTY – BENEDICTINE SCHOOL**

Authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Trustees of the Benedictine School for Exceptional Children Foundation, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Benedictine School, located in Caroline County; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

EFFECTIVE JUNE 1, 2017

Assigned to: Budget and Taxation

SB 389 Senator Hershey**KENT COUNTY – PROPERTY TAX CREDIT – COMMERCE ZONES**

Authorizing a specified property tax credit for specified business entities that obtain specified new or expanded premises in specified commerce zones in Kent County; providing for the amount and duration of the property tax credit; authorizing the governing body of Kent County to provide, by law, for specified matters relating to the tax credit; and applying the Act to taxable years beginning after June 30, 2017.

EFFECTIVE JUNE 1, 2017

TP, § 9-316 - added

Assigned to: Budget and Taxation

SB 390 Senator Hershey, et al**OYSTER POACHING – ADMINISTRATIVE PENALTIES – GEAR VIOLATIONS**

Repealing the offense of taking oysters with specified gear in specified areas that is subject to specified enhanced administrative penalties; and establishing the offense of taking oysters with a power dredge in specified areas that is subject to specified enhanced administrative penalties.

EFFECTIVE OCTOBER 1, 2017

NR, § 4-1210 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 391 Senators Hershey and Smith**GENERAL ASSEMBLY STANDING COMMITTEES – POSTING OF WRITTEN TESTIMONY ON WEB SITE**

Requiring a standing committee of the General Assembly to deliver specified written testimony to the Department of Legislative Services before reporting a specified bill or resolution to the floor; and requiring the Department to publish, within 10 days after a voting session in a standing committee of the General Assembly on a bill or resolution, any written testimony on the General Assembly Web site related to a specified bill or resolution.

EFFECTIVE OCTOBER 1, 2017

SG, §§ 2-1106 and 2-1250 - added

Assigned to: Education, Health, and Environmental Affairs

SB 392 **Senator Hershey**

**CREDIT REGULATION – REVOLVING AND CLOSED END CREDIT
LOANS – ELIMINATION OF DUPLICATIVE DISCLOSURES**

Providing that a specified disclosure provided by a lender to a borrower in compliance with a specified federal law shall satisfy specified disclosure requirements under provisions of law governing revolving credit and closed end credit loans secured by a first mortgage or first deed of trust on residential real property.

EFFECTIVE JULY 1, 2017

CL, §§ 12-125, 12-922, and 12-1022 - amended

Assigned to: Finance